IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 17TH NOVEMBER 2006 / 26TH KARTHIKA 1928

WP(C).No. 29786 of 2006(U)

PETITIONER:

SAKUNTHALA,
W/O.UNNIKRISHNAN, PULIKKAL HOUSE, MALAYATHU,
NADATHARA, THRISSUR.

BY ADV. SMT.S.MUMTAZ

RESPONDENTS:

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1. THE JOINT REGISTRARA (GENERAL),
OFFICE OF THE ASST.REGISTRAR OF CO-OPERATIVE
SOCIETIES, TRICHUR.

2. NADATHARA FARMERS CO-OPERATIVE BANK
NO.3499, REPRSENTED BY THE SECRETARY,
NADATHARA, TRICHUR.

3. SPECIAL SALE OFFICER,
NADATHARA-MOOSPET GROUP,
OFFICE OF THE ASST.REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL) TRICHUR.

4. STATE OF KERALA, REP.BY THE SECRETARY,
DEPT.OF CO.OPERATIVE SOCIETIES,
SECRETARIAT, THIRUVANANTHAPURAM.

BY SENIOR GOVT. PLEADER SRI.P.N.SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M. JAMES, J.

W.P.(C) No. 29786 of 2006

Dated this the 17th November, 2006.

J U D G M E N T

Ext.P2 notice reveal that an amount of Rs.66,389/= with interest and other expenses, are due to the second respondent, Nadathara Farmers Co-operative Bank No.3499, Nadathara, Trichur, Bank. Hence, this writ petition is filed by the petitioner before this Court praying to quash the same, and direct the second respondent, Bank, to consider Ext.P3 representation, in which the writ petitioner has requested the second respondent to allow her the benefits available under the one time settlement scheme, as per the Circular.

2. When the writ petition came up for consideration, I heard the learned counsel appearing for the petitioner, as well as the Senior Government Pleader.

3. Considering the facts of this case, I dispose of the writ petition directing the second respondent, Bank, to consider Ext.P3 representation, and pass orders, on merit, within two weeks from the date of production of a copy of this judgment before the Bank, giving the benefit of Circular No.27/2006 dated 29.6.2006.

4. However, I make it clear that if Ext.P3 representation is now not pending with the second respondent, the petitioner shall be allowed to file a fresh representation, within a week from the date of production of a copy of this judgment, and the second respondent shall dispose of the same, as per the directions contained herein above.

5. All proceedings initiated under Ext.P2 auction notice shall be kept in abeyance, till the disposal of the representation by the second respondent, Bank.

J.M. JAMES,
JUDGE

nj.